



DC3011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

RECEIVED
APR 24 2003

In the application of:

CHANG ET AL.

Serial No. 10/017,817

Filed: December 14, 2001

For: OPHTHALMIC COMPOSITIONS FOR
LUBRICATING EYES AND METHODS
FOR MAKING AND USING SAME

Group Art Unit: 1614

Examiner: Fay, Zohreh A.

I hereby certify that this correspondence is being
deposited with the United States Postal Service
with sufficient postage as first class mail in
an envelope addressed to: Commissioner for
Patents, Washington, DC 20231, on or before

Title

Date

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Examiner's communication mailed March 25, 2003, which included a restriction requirement.

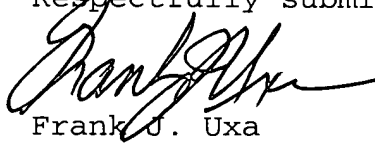
Restriction has been required between the Group I Claims, claims 1-34, drawn to ophthalmic compositions; and Group II claims, claims 35-40, drawn to methods of treating an eye comprising using such compositions and methods of making such compositions. Applicant provisionally elects the Group I claims, claims 1-34. However, applicant traverses the restriction requirement.

As noted above, the Group I claims are directed to ophthalmic compositions. The Group II claims are directed to methods for using such compositions and methods for making such compositions.

All the present claims are thus closely related to each other. In particular, a search regarding the patentability of the Group I claims would be substantially coextensive with a search regarding the Group II claims. Thus, the Patent and Trademark Office is placed under no undue burden in considering all of the present claims in the above-identified application.

In view of the above, applicant respectfully requests that the restriction requirement be withdrawn and that all of the present claims, that is claims 1-40, be considered in the above-identified application.

Respectfully submitted,



Frank J. Uxa
Attorney for Applicant
Reg. No. 25,612
4 Venture, Suite 300
Irvine, CA 92618
(949) 450-1750
Facsimile (949) 450-1764

FJUxa/ac